

**SYNOPSIS OF PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF FUNERAL SERVICE RULES,
CHAPTER 250-7
DISCIPLINARY ACTIONS AND PROCEDURES**

Chapter 250-7 Disciplinary Actions and Procedures, is hereby proposed to be amended and adopted as amended. The name Examining is changed to Professional Licensing Boards Division and the office address is changed.

Purpose: The purpose of the proposed amendment to the chapter is to change the name Examining to Professional Licensing Boards Division and the office address.

Main Feature: The main feature of the proposed amendment to the chapter is to change the name Examining to Professional Licensing Boards Division and the office address.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED
AMENDMENTS TO THE
GEORGIA STATE BOARD OF FUNERAL SERVICE RULES,
CHAPTER 250-7
DISCIPLINARY ACTIONS AND PROCEDURES**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

Chapter 250-7. Provisions regarding disciplinary actions and procedures are proposed for amendment and adoption as amended.

**RULES
OF
GEORGIA STATE BOARD OF FUNERAL SERVICE
CHAPTER 250-7
DISCIPLINARY ACTIONS AND PROCEDURES**

TABLE OF CONTENTS

250-7-.01 Complaints.

250-7-.03 Disciplinary Proceedings.

250-7-.02 Investigation of Complaints.

250-7-.01 Complaints.

(1) A complaint may be filed by any person by submitting a written statement to the Georgia State Board of Funeral Service at 166 Pryor Street, S.W., Atlanta, Georgia 30303
237 Coliseum Drive, Macon, Georgia 31217.

(2) The complaint shall include the complainant's name, address and phone number, shall be signed by the complainant, and shall give the name and address of the person or business entity against whom the complaint is being filed.

(3) The complainant must specifically state the circumstances which led to the complaint being filed.

(4) While a complaint is under investigation, the name of the person or business entity against whom the complaint is being filed shall be treated as confidential as provided in O.C.G.A. § 43-1-19(h)(2). However, the name of the person or business entity will no longer be treated as confidential once the Board takes an official action which places it into the public record.

(5) Once a Board member becomes aware of the identity of a person who is the subject of a complaint, and the Board member has a personal relationship with that person which would affect the Board member's judgment, or has prior knowledge of a person's practice which would affect the Board member's judgment, the Board member shall immediately disclose to the Board such relationship or knowledge, and shall not participate in the deliberation or the vote on the complaint; however, nothing herein shall preclude any Board member from giving testimony in the matter.

Authority O.C.G.A. §§ 43-1-19 and 43-18-23.

250-7-.02 Investigations of Complaints.

(1) The Board or its duly appointed representative will review each complaint and initiate whatever investigative action is appropriate.

(2) All investigations shall be conducted as provided by the laws of the State of Georgia, including but not limited to the Georgia Administrative Procedure Act (O.C.G.A. §§ 50-13-1 *et seq.*); O.C.G.A. §§ 43-1-1 *et seq.*; the Funeral Services Law (O.C.G.A. §§ 43-18-1 *et seq.*); the Rules of the Joint Secretary Division Director, State Examining Professional Licensing Boards Division; and the Rules of the Board.

Authority O.C.G.A. §§ 43-18-47 and 43-1-19(h).

250-7-.03 Disciplinary Proceedings.

(1) All disciplinary proceedings, including hearings in contested cases, shall be conducted as provided by the laws of the State of Georgia, including but not limited to the Georgia Administrative Procedure Act (O.C.G.A. §§ 50-13-1 *et seq.*); O.C.G.A. §§ 43-1-1 *et seq.*; the Funeral Service Law (O.C.G.A. §§ 43-18-1 *et seq.*); the Rules of the Joint Secretary Division Director, State Examining Professional Licensing Boards Division; and the Rules of the Board.

(2) The Board shall give written notice of the time and place of hearing, along with a copy of the charge, to be served upon the licensee, or registrant applicant for license, as the case may be, 20 days before the hearing.

(3) After a hearing, the Board may by majority vote revoke, limit, or restrict a license or registration upon satisfactory proof of guilt.

Authority O.C.G.A. §§ 43-18-47, 50-13-1 to 50-13-44, and 43-18-1 to 43-18-108.

